




PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : TZACHI RAFAELI, ET AL.
Application No. : 10/673,996
Filed : September 29, 2003
Confirmation No. : 2809
For : OPTICAL ALIGNMENT OF X-RAY MICROANALYZERS
Examiner :
Attorney's Docket : COLB-124XX

TC Art Unit: 2882

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450 on 2/4/04.

By: 
Stanley M. Schurgin
Registration No. 20,979
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the
enclosed references listed on the attached copy of PTO Form #1449. The
paragraph(s) marked below are applicable to this Information Disclosure
Statement.

- [] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
Information Disclosure Statement is being filed within three
months of the filing date of the above identified national
application or within three months of the date of entry of the
national stage as set forth in 37 C.F.R. § 1.491 of the above
identified application. Accordingly, applicant(s) believes that
no fee or statement under 37 C.F.R. § 1.97(e) is required.

- ☒ (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- ☐ a statement under 37 CFR § 1.97(e); or
- ☐ the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- ☐ (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- ☐ (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- ☐ (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of

Application No.: 10/673,996
Filed: September 29, 2003
TC Art Unit: 2882
Confirmation No.: 2809

information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

TZACHI RAFAELI, ET AL.

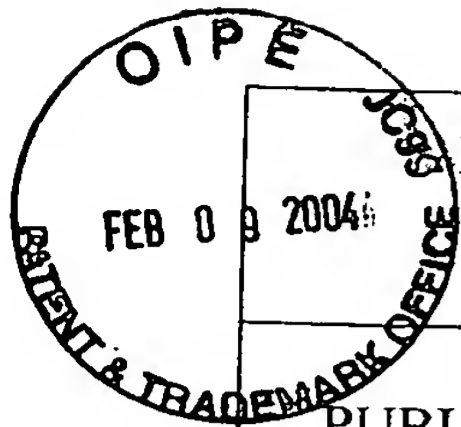
By: 

Stanley M. Schurgin
Registration No. 20,979
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109

Telephone: (617) 542-2290
Telecopier: (617) 451-0313

SMS:kmw/301478-1
Enclosures



Date: February 4, 2004 Page 1 of 2

FORM PTO-1449		ATTY DOCKET NO. COLB-124XX	SERIAL NUMBER 10/673,996
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT		APPLICANT Tzachi RAFAELI, et al.	EXAMINER
		FILING DATE September 29, 2003	GROUP ART UNIT 2882

U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	3,256,431	6/14/1966	Fraser	250	43.5	
	AB	3,581,087	5/25/1971	Brinkerhoff	250	51.5	
	AC	3,980,568	9/14/1976	Pitchford, et al.	250	276	
	AD	4,852,135	7/25/1989	Anisovich, et al.	378	49	
	AE	5,497,008	3/5/1996	Kumakhov	250	505.1	
	AF	5,778,039	7/7/1998	Hossain, et al.	378	45	
	AG	5,937,026	8/10/1999	Satoh	378	44	
	AH	5,812,631	9/22/1998	Yan, et al.	378	85	
	AI	6,108,398	8/22/2000	Mazor, et al.	378	45	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
	AJ	DE 19705732 A1	10/30/1997	Germany (with English Abstract)			No

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

	AK	<u>Brochure</u> : Capillary Optics, by X-Ray Capillary Optics AB, Sweden 1995.
	AL	N. Yamamoto, "A Micro-Fluorescent/Diffracted X-Ray Spectrometer With A Micro-X-Ray Beam Formed By A Fine Glass Capillary", Rev. Sci. Instrum. 67(9), September 1996, pp. 3051,3054-3056,3062.
	AM	B.J. Cross, et al., "X-Ray Microfluorescence Analyzer For Multilayer Metal Films", Thin Solid 166 (1988), pp. 263-272.
EXAMINER:		DATE CONSIDERED:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		



Date: February 4, 2004 Page 2 of 2

FORM PTO-1449	ATTY DOCKET NO. COLB-124XX	SERIAL NUMBER 10/673,996
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Tzachi RAFAELI, et al.	EXAMINER
	FILING DATE September 29, 2003	GROUP ART UNIT 2882

U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
	AI						
	AJ						

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AK	Shimomura, et al., "Annular-Type Solid State Detector For A Scanning X-Ray Analytical Microscope", Rev. Sci. Instrum. 66(9) (September 1995), pp. 4544-4546.
AL	Longoni et al., "A New XRF Spectrometer Based on a Ring-Shaped Multi-Element Silicon Drift Detector and on X-Ray Capillary Optics", IEEE Transactions on Nuclear Science 49:3 (2002), pages 1001-1005.
AM	
EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	